

Rec'd PCT/PTO 15 MAR 2005

REC'D 15 PM 4:51

March 15, 2005



ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

UNITED STATES PATENT AND TRADEMARK OFFICE
Box 16
Washington, DC 20231

Attn: Frank Lebron
Refund Department

Re: Deposit Account #150030

Dear Mr. Lebron:

Enclosed is a copy of a portion of our deposit account statement of February, 2005. See the highlighted charge on **serial number 10/502,052 for \$100.00 on fee code #1615.**

When this application was filed on July 30, 2004, a credit card payment form for American Express in the amount of \$1,086.00 was included in that filing. **The fee for two extra claims in the amount of \$36.00 was part of that payment. A preliminary amendment was filed with this application which also contained 22 claims. Therefore, there should not be any additional claim charges on our account for this application.**

Please review this application and kindly refund **\$100.00** to deposit account #150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Debbie Noel at (703) 412-6296. Thank you for your assistance in this matter.

With best regards,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Debra J. Noel
Debra J. Noel
Accounting Department

05/19/2005 THOLLAND 00000009 150030 10502052
Enclosures 36.00 DA

Adjustment date: 05/19/2005 THOLLAND
02/16/2005 THOLLAND 00000001 150030 10502052
01 FC:1615 100.00 CR



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: February 2005
 Deposit Account Number: 150030
 Name: NORMAN F. OBLON
 Attention:
 Address: 1940 DUKE STREET
 City: ALEXANDRIA
 State: VA
 Zip: 22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01	78	10503936	256748US6PCT	1201	\$2,000.00	\$16,574.71
02/01	79	10503936	256748US6PCT	1202	\$350.00	\$16,224.71
02/01	192	10880101	254622WO/TEP/FF	8007	\$20.00	\$16,204.71
02/01	245	60584469	255455US/KQU	8007	\$60.00	\$16,144.71
02/01	342	60538457	248191USUS/KQU	8007	\$20.00	\$16,124.71
02/01	343	60559950	251700US/KQU	8007	\$20.00	\$16,104.71
02/02	5	09889141	211141US2PCT	1806	\$180.00	\$15,924.71
02/02	6	10940012	258658US25CONT	1202	\$200.00	\$15,724.71
02/02	262	60573420	253699US/KQU	8007	\$40.00	\$15,684.71
02/03	85	10760499	247798US2SX CONT	1201	\$200.00	\$15,484.71
02/04	10	09836470	205801USDIV	1202	\$500.00	\$14,984.71
02/04	34	11045337	265332US90	1202	\$1,100.00	\$13,884.71
02/04	82	10498357	254769US6PCT	1617	\$130.00	\$13,754.71
02/04	167	10764467	245417US/KQU	8007	\$20.00	\$13,734.71
02/04	169	10764569	245418US/KQU	8007	\$20.00	\$13,714.71
02/04	174	10780640	249160US/KQU	8007	\$60.00	\$13,654.71
02/04	176	60557687	250390US/KQU	8007	\$20.00	\$13,634.71
02/04	177	10796064	248424US/KQU	8007	\$80.00	\$13,554.71
02/04	275	10764527	245419US/KQU	8007	\$20.00	\$13,534.71
02/07	26	PAYMENT		9203	-\$20,000.00	\$33,534.71
02/07	51	10002434	263467US8	1463	\$70.00	\$33,464.71
02/07	140	10212399	263471US8	1463	\$70.00	\$33,394.71
02/07	185	60566077	252645US/KQU	8007	\$60.00	\$33,334.71
02/07	381	0155740001	254464MX/TEP/FF	8014	\$25.00	\$33,309.71
02/08	4	10488242	249173US2XPCT	1463	\$70.00	\$33,239.71
02/08	136	10408218	236211US30/JEM	1251	\$120.00	\$33,119.71
02/08	173	10523108	262509US2PCT	1633	\$100.00	\$33,019.71
02/09	11	10355304	233504USOSCO	1252	\$450.00	\$32,569.71

02/10 1	10279098	229719US3CON	1806	\$180.00	\$32,389.71
02/10 2	10495754	253653US0PCT	1615	\$700.00	\$31,689.71
02/10 2	P110116		1463	\$70.00	\$31,619.71
02/10 3	10147874	223316US0	1202	\$50.00	\$31,569.71
02/10 141	10500863	255939USPCT	1617	\$130.00	\$31,439.71
02/11 1	10419849	236940US90	1251	\$120.00	\$31,319.71
02/11 31	PCT/US03/16209 224317WO		9204	-\$10.00	\$31,329.71
02/11 74	PCT/US03/45392 218216WO		9204	-\$60.00	\$31,389.71
02/11 76	PCT/US03/45391 222038WO		9204	-\$60.00	\$31,449.71
02/11 199	60560274	251482USPROV/KQU	8007	\$20.00	\$31,429.71
02/11 310	10523393	265017US6PCT	1615	\$100.00	\$31,329.71
02/11 316	10523394	265436US90PCT	1616	\$100.00	\$31,229.71
02/11 320	10523395	265470US0PCT	1633	\$100.00	\$31,129.71
02/11 344	10523392	264741US2PCT	1616	\$100.00	\$31,029.71
02/11 473	PCT/US04/11238	235886WO	1605	\$600.00	\$30,429.71
02/11 474	PCT/US04/11238	235886WO	1705	\$162.00	\$30,267.71
02/11 496	10523417	264738US0PCT	1633	\$100.00	\$30,167.71
02/14 199	10523415	264930US3 PCT	1614	\$100.00	\$30,067.71
02/14 204	10523414	264689US0PCT	1617	\$100.00	\$29,967.71
02/14 263	10523585	265502US2PCT	1616	\$100.00	\$29,867.71
02/14 318	10523586	265146US3PCT	1615	\$100.00	\$29,767.71
02/15 1	10612926	239954US2	1806	\$180.00	\$29,587.71
02/15 1	10450709	239267US2PCT	1251	\$120.00	\$29,467.71
02/15 4	10617190	240331US0	1806	\$180.00	\$29,287.71
02/15 5	11017847	263755US0	1202	\$200.00	\$29,087.71
02/15 11	10367706	232794US3	1202	\$950.00	\$28,137.71
02/15 12	10367706	232794US3	1201	\$600.00	\$27,537.71
02/15 255	10523794	264508US0PCT	1633	\$100.00	\$27,437.71
02/16 1	10502052	255861US0PCT	1615	\$100.00	\$27,337.71
02/16 1	10921992	257463US90CONT	1806	\$180.00	\$27,157.71
02/16 3	10685599	243712US2S DIV	1251	\$120.00	\$27,037.71
02/16 8	09748243	201216US2	1806	\$180.00	\$26,857.71
02/16 25	11023486	263965US0DIV	1203	\$360.00	\$26,497.71
02/16 53	10986205	261023US/KQU	8007	\$20.00	\$26,477.71
02/16 412	10523919	264737USOPCT	1633	\$100.00	\$26,377.71
02/16 424	10523974	265523US2PCT	1633	\$100.00	\$26,277.71
02/16 428	10523810	265615US3PCT	1633	\$100.00	\$26,177.71
02/16 432	10523971	265012US0PCT	1633	\$100.00	\$26,077.71
02/16 442	10523931	265206USOPCT	1614	\$100.00	\$25,977.71
02/16 446	10523809	265519US2PCT	1614	\$100.00	\$25,877.71
02/16 456	10523807	259826US2PCT	1633	\$100.00	\$25,777.71
02/16 466	10523927	264288US0PCT	1633	\$100.00	\$25,677.71
02/16 471	10523925	264744US0PCT	1633	\$100.00	\$25,577.71
02/17 11	76129195	197365US	9204	-\$100.00	\$25,677.71
02/17 14	10523995	265078US0PCT	1633	\$100.00	\$25,577.71
02/17 49	11028539	264201US0DIV	1081	\$750.00	\$24,827.71
02/17 100	60584469	255455US/KQU	8007	\$60.00	\$24,767.71
02/17 106	60565842	252514US/KQU	8007	\$20.00	\$24,747.71

Due Date August 6, 2004

OSMM&N File No. 255861US0PCT

By NFO/nab/FF

Serial No. New U.S. PCT Application based on PCT/ FR03/00340

In the matter of the Application of Xavier FANTON, et al.

For NON-STOICHIOMETRIC NIOX CERAMIC TARGET

The following has been received in the U.S. Patent Office on the date stamped hereon:

■ 16 pgs. Specification 22 Claims (English Translation) pgs. Sequence Listing

■ Application Data Sheet

■ Notice of Priority

■ Dep. Acct. Order Form

■ Credit Card Payment Form for \$1,086.00

■ Drawings (2 sheets)

■ PCT Transmittal Letter

■ Preliminary Amendment

■ PCT/IB/304

■ PCT/IB/308

■ International Search Report

■ Request for Consideration of Documents Cited in International Search Report

SERIAL NO. 10/502052

DATE RECEIVED Rec'd PCT/PTO 30 JUL 2004

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371****255861US0PCT**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

INTERNATIONAL APPLICATION NO.
PCT/FR03/00340INTERNATIONAL FILING DATE
4 February 2003PRIORITY DATE CLAIMED
6 February 2002

TITLE OF INVENTION

NON-STOICHIOMETRIC NIOX CERAMIC TARGET

APPLICANT(S) FOR DO/EO/US

Xavier FANTON et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

PCT/IB/304**PCT/IB/308 / Drawings (2 sheets)****Request for Consideration of Documents Cited in International Search Report****Request for Priority / Application Data Sheet**

U.S. APPLICATION NO. (IF KNOWN, SEE 37

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

PCT/FR03/00340

255861US0PCT

24. The following fees are submitted..

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$920.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	22 - 20 =	2	x \$18.00	\$36.00	
Independent claims	1 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00	

TOTAL OF ABOVE CALCULATIONS =

\$1,086.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

\$0.00

SUBTOTAL =

\$1,086.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

TOTAL NATIONAL FEE =

\$1,086.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

☐

\$0.00

TOTAL FEES ENCLOSED =

\$1,086.00

Amount to be:	\$
refunded	
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0030
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer Number
22850

SIGNATURE

Norman F. Oblon

NAME

24,618

REGISTRATION NUMBER

DATE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

Credit Card Information

Credit Card Type: ☒ American Express

Credit Card Account #: [REDACTED] 006

Credit Card Expiration Date: December 31, 2005

Name as it Appears on Credit Card: Bridges, Nicole A.

Payment Amount: \$(US Dollars): 1,086.00

Signature:

Date: July 30, 2004

The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no credit card payment can be processed, or credit any overpayment to Deposit Account No. 15-0030.

Credit Card Billing Address

Street Address 1: Oblon, Spivak, McClelland, Maier & Neustadt, P.C.

Street Address 2: 1940 Duke Street

City: Alexandria

State: Virginia

Zip/Postal Code: 22314

Country: U.S.A.

Daytime Phone #: (703) 413-3000 Accounting Dept.

Fax #: (703) 413-2220

Request and Payment Information

Description of Request and Payment Information:

FILING OF NEW U.S. PCT APPLICATION

Application No.:

Patent/Registration No.:

Docket No.: 255861US

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.

Form #: 15880

COPY

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND										
1 Date of Request: <u>03/15/05</u>		2 Serial/Patent # <u>10502052</u>								
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT						
<input checked="" type="checkbox"/>	Filing <i>fee Code Change</i>			\$ <u>100</u>						
<input type="checkbox"/>	Amendment			\$						
<input type="checkbox"/>	Extension of Time			\$						
<input type="checkbox"/>	Notice of Appeal/Appeal			\$						
<input type="checkbox"/>	Petition			\$						
<input type="checkbox"/>	Issue			\$						
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$						
<input type="checkbox"/>	Maintenance			\$						
<input type="checkbox"/>	Assignment			\$						
<input type="checkbox"/>	Other			\$						
		7 TOTAL AMOUNT OF REFUND		\$ <u>100</u>						
		8 TO BE REFUNDED BY:								
9 REASON:		Treasury Check								
<input checked="" type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/> Credit Deposit A/C #:								
<input type="checkbox"/>	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>								
<input type="checkbox"/>	No Fee Due (Explanation):									
11 REFUND REQUESTED BY:										
TYPED/PRINTED NAME: <u>Rita White</u>		TITLE: <u>Legal Assistant Examiner</u>								
SIGNATURE: <u>Rita White</u>		PHONE: <u>7308-9140 ext 231</u>								
OFFICE: <u>DO/EO</u>										
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****										
APPROVED: _____		DATE: _____								

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: